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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

CAO, DIEM K

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/652,485	Applicant(s) OKADA ET AL.	
	Examiner Diem K. Cao	Art Unit 2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-8 are pending. Applicant has amended claims 1, 2, 7 and 8.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/6/2007 has been entered.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites “detecting the received indicia, which was received via the communication path, and determining whether the received indicia corresponds to at least one of the first set of reactions” on lines 15-16, however, the original filed disclosure does not seem to support the limitation “detecting the received indicia, which was received via the communication path”. The specification seems to disclose when the information is transmitted from the third computer to the first and second computers via the communication path, the information

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detecting section of each computer monitor the information, when information is transmitted to the communication path, the information reaction tables are retrieved, and when the received information matches the registration content of information table, the corresponding processing content is executed (page 11, lines 10-21), i.e., the specification discloses receiving information, and comparing the information with the reaction table to determine if there is a match. Examiner fails to find how the specification discloses “detecting the received indicia, which was received via the communication path”.

Claim 8 recites “a first computer ... storing a set of reactions available to the plurality of computes connected to the communication channel”, however, the specification discloses for each computer, there is a medium storing a set of reactions for that computer (page 8, line 20 – page 9, line 2). Although Applicant argued that the specification describes an embodiment in which the “information detecting sections 102, 202 monitor information ... information” on page 9 at lines 6-8, and concluded that the “information detecting sections 102, 202 monitor information transmitted to common communication path 3” makes “available to the plurality of computers connected to said communication channel” a “set of reactions” as recited by “retrieving information tables 103, 203 upon detection of information, to judge whether a reaction, or response should be made to the information”, and thus shows to one of ordinary skill in the art that the inventors were in possession of the what is recited in claim 8. Thus, the cited passage shows a computer uses the reaction table stored in the computer to determine whether a response should be made in response to information received from other computers that connected to the communication path. However, according to dictionary, and any one, even the one of ordinary skill in the art, “available” means (1) present and ready for use; at hand;

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accessible, (2) Capable of being gotten, obtainable and (3) qualified and willing to be of service or assistance. Based on the above definition, the reaction table is available to the computer that it is stored on, not to a plurality of computers connected to the communication path. Therefore, the arguments are not persuasive and the rejection is maintained.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Hao et al (U.S. 5,844,553).**

As to claim 1, Hao teaches

- storing a first set of reactions at a first computer (File 124, Application 123, Workstation 120; see Fig. 2 and associated text), and a second set of reactions at a second computer (File 134, Application 133, Workstation 130; see Fig. 2 and associated text), where each reaction in the first set comprises indicia of one of a plurality of operations available for performance on the first computer and execution information associated with each identified operation (a rotation motion ... rotated figured; col. 5, lines 22-29 and Applications automatically trigger their own event handlers to execute received events; col. 7, lines 1-2 and File on col. 12,

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lines 1-8 and 23-30), where each reaction in the second set comprises indicia of one of a plurality of operations available for performance on the second computer and execution information associated with each identified operation (a rotation motion ... rotated figured; col. 5, lines 22-29 and Applications automatically trigger their own event handlers to execute received events; col. 7, lines 1-2 and File on col. 12, lines 1-8 and 23-30);

- at a third computer (Workstation 110; see Fig. 2 and associated text), performing one or more operations of a first plurality of operations available for performance at the third computer (press a button, move a mouse, type a key, a rotate motion; col. 5, lines 16-25 and col. 8, lines 4-5);

- in response to the performance one or more operation at the third computer, generating a transmission, sent via a communication path common to the first, second and third computers, comprising indicia of the one or more performed operations and information operated on by each of the one or more operations (The rotate motion would then be captured and multicast to windows 112, 122 and 132; col. 5, lines 24-25 and col. 6, lines 59-67; col. 8, lines 4-6);

- receiving the transmission at the first and second computers via the communication path (Each application would receive the motion event; col. 5, lines 24-27);

- at the first computer, detecting the received indicia, which was received via the communication path, and determining whether the received indicia corresponds to at least one of the first set of reactions, and if it does, performing an execution using the associated execution information of the one of the first set of reactions (Each application ... rotated figure; col. 5, lines 25-29 and col. 7, lines 1-2 and col. 9, lines 48-52 and col. 11, lines 19-21, 39-54); and

- at the second computer, determining whether the received indicia corresponds to at least

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one of the second set of reactions, and if it does, performing an execution using the associated execution information of the one of the second set of reactions (Each application ... rotated figure; col. 5, lines 25-29 and col. 7, lines 1-2 and col. 9, lines 48-52 and col. 11, lines 19-21, 39-54).

As to claim 2, Hao teaches

- executing original operations of different operation types (press a button, move a mouse, type a key, a rotate motion; col. 5, lines 16-25 and col. 8, lines 4-5);
- when original operations are executed, transmitting messages on a communication path, common to a plurality of objects, whereby each message is receivable by the plurality of objects (The rotate motion would then be captured and multicast to windows 112, 122 and 132; col. 5, lines 24-25 and col. 6, lines 59-67; col. 8, lines 4-6), where the messages have a format shared by the objects, and where each message indicates the operation type of its corresponding executed operation (col. 10, lines 32-47); and
- when messages so transmitted to the plurality of objects are detected from the communication path and received, determining whether to react to each message based on each message's indicated operation type, and when determined to react to a given message, reacting by executing a reaction operation (Each application ... rotated figure; col. 5, lines 25-29 and multicast; col. 7, lines 1-2 and col. 9, lines 48-52 and col. 11, lines 19-21, 39-54. Applicant notes that examiner interprets when the computer receives the events, and in response, executes a corresponding handler, the computer/application must detect that the information/event is available) that is pre-associated with the message indicated operation type, where each object has

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its own set of reaction operations and pre-registered associations between its reaction operations and at least some of the operation types (a rotation motion ... rotated figured; col. 5, lines 22-29 and Applications automatically trigger their own event handlers to execute received events; col. 7, lines 1-2 and col. 11, lines 54-60 and File on col. 12, lines 1-8 and 23-30).

As to claim 3, Hao teaches the original operations comprises graphical user interface events, and wherein the operation types comprises types of graphical user interface events (press a button, move a mouse, type a key, a rotate motion; col. 5, lines 16-25 and col. 8, lines 4-5 and col. 10, lines 37-43).

As to claim 4, Hao teaches a message further indicates a parameter (certain amount) of the original operation that triggered the message (a 3-D figure to be rotated a certain amount; col. 5, lines 22-23), and wherein the reaction operation triggered by the message uses as its own parameter the parameter included with the message that determined the execution of the reaction operation (inherent from Each application ... the rotated amount; col. 5, lines 25-29).

As to claim 5, Hao teaches the communication path comprises a network chat channel (real-time collaboration window sessions, col. 7, lines 5-28).

As to claim 6, Hao teaches the plurality of objects comprises programs executing on different computer systems (Workstations 120, 130; see Fig. 2 and associated text).

As to method claim 7, it is the same as the computer product claim of claim 2 and is rejected under the same ground of rejection.

As to claim 8, Hao teaches

- a communication channel connecting a plurality of computers (see Fig. 2 and col. 4, lines 57-60),
- a first computer (Workstation 120, see Fig. 2), connected to the communication channel, including
 - a computer-readable medium storing a set of reactions available to the plurality of computers connected to the communication channel for performance on the first computer (File 124, Application 123, Workstation 120; see Fig. 2 and associated text), where each reaction includes an indicia of an operation available (a rotation motion ... rotated figured; col. 5, lines 22-29), and
 - a processor detecting when a transmitted indicia has been received from the communication path and determining when an operation, received from the communication channel, will be performed on the first computer (Applications automatically trigger their own event handlers to execute received events; col. 7, lines 1-2 and File on col. 12, lines 1-8 and 23-30. Applicant notes that examiner interprets when the computer receives the events, and in response, executes a corresponding handler, the computer/application must detect that the information/event is available), and
- a second computer (Workstation 110; see Fig. 2), connected to the communication channel, including a processor performing operations available on the second computer and

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transmitting performance of operations to the plurality of computers connected to the communication channel (press a button, move a mouse, type a key, a rotate motion; col. 5, lines 16-25 and col. 8, lines 4-5 and The rotate motion would then be captured and multicast to windows 112, 122 and 132; col. 5, lines 24-25 and col. 6, lines 59-67; col. 8, lines 4-6).

Response to Arguments

7. Applicant's arguments filed 12/6/2007 have been fully considered but they are not persuasive.

In the remarks, Applicant argued in substance that (1) Hao does not teach “detecting the received indicia, which was received via the communication path” in claims 1, 2 and 7, and (2) Hao does not teach “a processor detecting when a transmitted indicia has been received from the communication path and determining when a[n] operation will be performed on said first computer” in claim 8.

Examiner respectfully disagrees with the arguments:

- As to the point (1), first examiner would like to indicate that only claim 1 recites the above limitation, wherein claims 2 and 7 recite “when messages so transmitted to the plurality of objects are detected from the communication path”. Second, for claim 1, this is a new limitation and see 112 second rejection for further information, and for claims 2 and 7, see respective rejections for examiner position of the new limitations.
- As to the point (2), this is a new limitation and see rejection of claim 8 for examiner position.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO 892 for related arts that can be used in the rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diem K. Cao whose telephone number is (571) 272-3760. The examiner can normally be reached on Monday - Friday, 7:30AM - 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571) 272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DC
February, 27 2008
/Thomson D. William/
Supervisory Patent Examiner, Art Unit 2194